

**ENTERED**

June 29, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISIONVERONICA NEVAREZ,  
Plaintiff

vs.

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF THE SOCIAL SECURITY  
ADMINISTRATION  
Defendant.§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 7:15-CV-00313

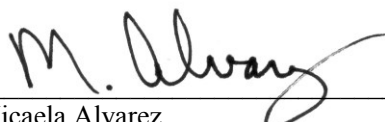
**ORDER ADOPTING REPORT AND RECOMMENDATION**

Pending before the Court is Plaintiff's action pursuant to 42 U.S.C. 405(g) , which had been referred to the Magistrate Court for a report and recommendation. On May 2, 2016, the Magistrate Court issued the Report and Recommendation, recommending that Plaintiff's Motion for Summary Judgment be denied, that Defendant's Motion for Summary Judgement be granted, and that the Commissioner's final decision to deny benefits be affirmed. The time for filing objections has passed and no objections have been filed.

Pursuant to Federal Rule of Civil Procedure 72(b), the Court has reviewed the Report and Recommendation for clear error.<sup>1</sup> Finding no clear error, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby ORDERED that Plaintiff's Motion for Summary Judgment (Dkt. No. 16) is **DENIED**, Defendant's Motion for Summary Judgement (Dkt. No. 18) is **GRANTED** to the extent consistent with the findings and conclusions in the Magistrate's Report, and the Commissioner's final decision to deny benefits is **AFFIRMED**. This case is ordered closed.

**IT IS SO ORDERED.**

DONE at McAllen, Texas, this 28th day of June, 2016.

  
 Micaela Alvarez  
 United States District Judge

<sup>1</sup> As noted by the Fifth Circuit, "[t]he advisory committee's note to Rule 72(b) states that, '[w]hen no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Douglas v. United Services Auto. Ass'n, 79 F.3d 1415, 1420 (5th Cir. 1996)(quoting Fed. R. Civ. P.72(b) advisory committee's note (1983)) *superseded by statute on other grounds* by 28 U.S.C. § 636(b)(1), as stated in ACS Recovery Servs., Inc v. Griffin, No. 11-40446, 2012 WL 1071216, at \*7 n.5 (5th Cir. April 2, 2012).